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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,173	07/02/2001	Satoshi Hoshino	OSP-10752	9512
21254	7590	05/17/2005	EXAMINER	
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817				PATEL, SHEFALI D
ART UNIT		PAPER NUMBER		
		2621		

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/895,173	HOSHINO, SATOSHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shefali D. Patel	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 29 October 2004.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-11 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-11 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

1. The amendment was filed on October 29, 2004.
2. Claims 10-11 are newly added. Claims 1-9 are pending in this application.

### *Response to Arguments*

3. Applicant's arguments filed on October 20, 2004 (Remarks, pages 5-9) have been fully considered but they are not persuasive.

Applicant argue on pages 5-6 (with regards to claims 1-2 and 4-5) stating:

"The claimed invention of exemplary claim 1, on the other hand, is directed to an electronic journal preparation system (and method) including a customer transaction data image processing portion for forming an image regarding customer transaction data (e.g., see Application at page 2, lines 1 1-1 3). This feature allows the present invention to provide an electronic journal preparation system (and method) in which the personal history backgrounds are difficult to alter (see Application at page 2, lines 5-7)."

Applicant also argue stating at bottom of page 6 and on page 7 that:

"That is, nowhere in this passage (nor anywhere else for that matter) does Sato teach or suggest an electronic journal preparation system including a customer transaction data image processing portion for forming an image regarding customer transaction data. Indeed, Sato merely teaches the prior art system (and method) as described in the specification of the Application (see Application at page 1, lines 13-24)."

The examiner disagrees.

Applicant claims that there is no image forming of the customer data in JP reference (Sato et al. JP 06-068339). See paragraph 15 lines 19-26 where Sato discloses image processing section 3 with reference to Figures 1 and 2. This image processing section 3 is connected to a controller 11 and to a CRT display 4. Further, Sato discloses storing the transaction data and displaying this information with reference to Figures 11-15 at paragraphs 32 to 39 where the information is being displayed on CRT display 23. The information being displayed is an image containing customer's transaction data. Therefore, Sato meets this limitation recited in claims 1.

Applicant further argue on page 7 of the Remarks stating:

“Nowhere does Sato even mention storing customer transaction data as an image, let alone teach or suggest a customer transaction data image processing portion for forming an image regarding customer transaction data. Moreover, Sato does not even mention preventing customer transaction data from being altered. Sato is directed to merely displaying a user's photograph with the user's bank dealing data.”

Please note that Sato discloses in Figures 1-2 an image processor 3, CRT display 4, 23, controller 11, 26, and Disk drive 25. The customer transaction data (i.e., the contents data of a dealings detail) has been stored on a disk drive after the image processing. Therefore, the data that is being stored is in the form of image because this is the exact data that is being outputted at the CRT display. See paragraph 15 and 22-25 of Sato.

4. Applicant's arguments with respect to Hanna Reference (pgs. 7-9) have been considered but are moot in view of the arguments above.

*Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 4-5, and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al (JP 06-068339) (hereinafter, “Sato”).

**PLEASE NOTE:** This is a computer translation of the Japanese reference 06-068339.

English translation of this reference can be provided upon applicant's request.

With regard to **claim 1** Sato discloses an electronic journal preparation system (pages 1-2 paragraph 0010, See the abstract) comprising: a face image pick-up portion for picking up a face image of a customer by a fixed camera (page 2 paragraph 15 lines 2-3); a card embossed image pick-up portion for picking up a card embossed image from a bank card when said customer inputs said bank card (page 2 paragraph 15 lines 18-20; page 3 paragraph 17 lines 4-7, paragraph 23 lines 7-9); a customer transaction data image processing portion for forming an image regarding customer transaction data (page 3 paragraph 16 lines 4-7 paragraph 15 lines 19-26); a journal data synthesizing portion for synthesizing a journal data by assembling said face image picked up by said face image pick-up portion, said card embossed image picked up by said card embossed image pick-up portion, and said customer transaction data image picked up by said customer transaction data image processing portion (synthesize (i.e., combine) the photo of a face, the embossed data, and the transaction data as disclosed on pages 4-5 paragraph 34); and a journal data storing portion for storing said journal data synthesized by said journal data synthesizing portion into an electronic recording medium provided in the electronic journal preparation system (storing in storage section 14 as disclosed on page 5 paragraph 34 lines 6-10).

With regard to **claim 2** Sato discloses journal synthesizing portion adding character data to a header portion of said journal data as seen in Figure 14 and also on page 5 bottom of paragraph 39 where the contact of dealings are located at the corner monitor when information about the use is displayed.

**Claim 4** recites identical features as claim 1 except claim 4 is a method claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 4.

**Claim 5** recites identical features as claim 2 except claim 5 is a method claim. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 5.

With regard to **claim 10** Sato discloses formatting customer transaction data into a table for imaging the table after executing a service as seen in Figures 9A-9D and 15. See, paragraphs 39 and 22-24. As seen in the figures, the customer information is formatted in a table.

With regard to **claim 11** Sato discloses adding the customer transaction data image as a character data to a header for an index (see Figures 9B and 9C) for data at the header in an image.

*Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (JP 06-068339) in view of Hanna et al. (US 6,761,308) (hereinafter, "Hanna").

With regard to **claim 3** Sato discloses all of the claimed subject matter as already discussed above in paragraph 2, claim 1, and the arguments are not repeated herein, but are incorporated by reference. Sato does not expressly disclose inserting a watermark into said customer transaction data. Hanna discloses inserting watermark into customer transaction data at col. 33 lines 44-55. Sato and Hanna are combinable because they are from the same field of endeavor, i.e., keeping track of banking (i.e., financial) transaction by a machine/system. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Hanna with Sato. The motivation for doing so is to provide greater assurance of the integrity of the image as suggested by Hanna at col. 33 lines 50-52. Therefore, it would have been obvious to combine Hanna with Sato to obtain the invention as specified in claim 3.

**Claim 6** recites identical features as claim 3 except claim 6 is a method claim. Thus, arguments similar to that presented above for claim 3 is equally applicable to claim 6.

With regard to **claim 7** Sato discloses all aspects of the claimed invention except for using Consumer Transaction Facility (CTF) instead of an Automated Teller Machine (ATM). It would have been obvious to substitute an ATM for the CTF in Sato, since the Examiner takes notice that these two

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types of Automated Machines are art recognized equivalents in carrying out automatic financial transactions.

With regard to claims 8-9, claim 7 substantially encompasses the limitation of this claim, and are rejected the same as claim 7. Thus, arguments similar to that presented above for claim 7 is equally applicable to claims 8 and 9.

*Conclusion*

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shefali D. Patel whose telephone number is 571-272-7396. The examiner can normally be reached on M-F 8:00am - 5:00pm (First Friday Off).

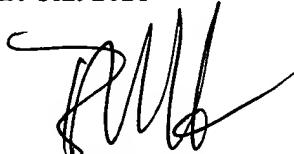
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh M. Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shefali D Patel  
Examiner  
Art Unit 2621

May 6, 2005



BHAVESH M. MEHTA  
SUPERVISORY PATENT EXAMINER  
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